महाराष्ट्र प्रादेशिक व नगररचना अधिनियम,
१९६६ चे कलम ३७ (१ अअे) अन्वये सूचना
बृहन्मुंबई विकास नियंत्रण नियमावली
फेरबदल

महाराष्ट्र शासन,

नगर विकास विभाग,

शासन सूचना क्रमांकः सीएमएस/टिपीबी-४३११/४५२/प्र.क्र.५८/२०११/नवि-११

मंत्रालय, मुंबई : ४०० ०३२,

दिनांकः२५ जुलै, २०११.

<u>शासन निर्णयः-</u> सोबत जोडलेली सूचना शासन साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

(राजेंद्र हाबडे)
अवर सचिव, महाराष्ट्र शासन.

प्रति,
महापालिका आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका, मुंबई.
संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.
व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यांत येते की, सोबतची सूचना शासन साधारण राजपत्र भाग-१ मध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी ३५ प्रती नगर विकास विभाग, (नवि-११), मंत्रालय, मुंबई-३२ व उपसंचालक, नगर रचना, बृहन्मुंबई, इन्साहटमेंट, आझाद मैदान, मुंबई-१ यांना पाठविणेत याव्यात.)

कक्ष अधिकारी (संगणक कक्ष) (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत आवश्यक ती कार्यवाही करावी)

निवडनस्ती (नवि-११).

Maharashtra Regional & Town Planning Act, 1966.

- **Notice under section 37 (1AA) of the said Act.**
- **Proposed modification to the relevant DCRs for Gr. Mumbai.**

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumabi 400 032.
Dated 25th July, 2011.

NOTICE

No. CMS 4311/452/CR-58/2011/UD-11:

Whereas, the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by Government in Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. DCR 1090/UD-11(RDP) dated 20th February, 1991 to come into force with effect from 25th March, 1991.

And whereas, it is noticed that, in the last twenty years, Municipal Corporation of Gr. Mumbai (hereinafter referred to as the "the said Corporation") as well as Govt. have carried out numbers of modifications to various provisions of the said regulations and have also added number of regulations. These modifications were carried out to implement various policies of the Govt./the said Corporation formulated from time to time. Some of the provisions were amended as a result of recommendations made by the various committees, appointed by the State Government. Some amendments were made due to the court decisions. The amendments were done with a view to have effective implementation of the provisions of the said regulations for the benefit of the public at large. (hereinafter referred to as "the said modified Regulation"). Amendments to the said Regulation Nos. 33(5),33(7),33(9) and 33(10) fall in such categories of amendments. Govt. has carried out amendments to the said Regulation by adding few more regulations, so as to meet with requirements of various departments of Govt., Corporation and other users so as to make the said Regulation more user friendly.

And whereas, it is seen that no major or for that matter even minor modifications have been done to the provisions of the said Regulation No.35, which deals with exemption of some structures/features from FSI computations. Similarly provisions of the said Regulation Nos. 43 and 44, which deal with the fire prevention/protection measures have also remained untouched.

And whereas, the said Corporation has submitted its detailed report vide its letter No. Misc/A/8279 dated 13/7/2011 to the Government for modification to provisions of the said Regulations specifically dealing with exemption from FSI computation and fire protection measures (hereinafter referred to as "the said proposed modification").

And whereas, amendments are required to be implemented expeditiously, the Municipal Commissioner of the said Corporation has requested vide letter No. Misc/A/8279 dated 13/7/2011 that the Govt. may issue the suitable directives so as to give effect to the above amendments and to take expeditious action in public interest under section 37 of the said Act and also requested Govt. vide his letter dated 21/7/2011 to invoke the provisions of Section 37(1AA) of the said Act.

And whereas, the Govt. is satisfied that the said amendments will not change the character of the Development Plan of the said Corporation.

Now, therefore, in view of the facts and circumstances mentioned above and the proposed modification is of public interest, Government in exercise of the powers conferred under sub-section (1AA) of section 37 of the said Act is pleased to issue the notice regarding the said proposed modification for inviting suggestions/objections from public.

The Government is further pleased to inform that any objections/suggestions upon the said proposed modification be forwarded within 30 days from the date of publication of this notice in the official gazette to the Deputy Director of Town Planning, Greater Mumbai having his office at ENSA Hutments, E-Block, Azad Maidan, Mahapalika Marg, Mumbai 400 001 who is being appointed as an 'officer' under section 162 of the said Act. The said officer shall submit his report to Government after scrutinising the suggestions and objections over the proposed modification, say of the said Corporation and after granting hearing to the concerned persons including the said Corporation.

PROPOSED MODIFICATION

Proposed modifications to the relevant Development Control Regulations is enclosed herewith as Annexure-I & II.

By order and in the name of Governor of Maharashtra,

(Rajendra Habde)
Under Secretary to Government.

Note:-

A) A copy of the proposed modifications to the relevant Development Control Regulations is enclosed herewith as Annexure-I & II is kept open for inspection by the general public in the offices of the following officers on all working days during working hours:

1) Dy. Director of Town Planning, ENSA Hutment, Azad Maidan, Mumbai 400 001.
2) The Chief Engineer (DP), MCGM, Mumbai 400 001.

B) This notice is also available on Govt. web site www.urban.maharashtra.gov.in

Accompaniment in Government in Urban Development Departments Notification No. CMS 4311/452/CR-58/2011/UD-11 dated 25th July, 2011.

Annexure-I

Compensatory FSI proposed on charging premium at 100%/125%/200% of the Stamp duty Ready Reckoner Rate for developed lands, for residential/Industrial/commercial respectively.

Sr. No.	Features	Residential	Industrial	Commercial
1	Balcony	10%	--	--
2	Fire Escape Balcony		4%	--
3	Flower Beds	10% - 15% *	<5%	5% - 10%
4	Ducts other than toilet ducts	2.5%	1%	2.5%
5	A.C. Plant room/AHUs	--	4%	4%
6	Letter Box Room/MTNL Room/ Meter Room/BMS/Drivers room.	1.5%	1.5%	1.5%
7	Niche	1%	1%	1%
	Total	**25% - 30%**	**<16%**	**14% - 19%**
		25%	**15%**	**15%**

* **Excluding cases where higher width than prescribed in D.C. Regulations for projections has been allowed.**

Proposed amendment in relevant regulations of D.C.Regulations, 1991

Modification to D.C. Regulation No.29(1)(f)

Reg. no.	Original Regulation	Modified Regulation
29(1)(f)	Where a room does not derive light and ventilation from an exterior open space; the width of the exterior open space as given in this Regulations may be reduced to one fifth of the height of the building subject to a minimum of 3.6 m. in respect of residential building and 1.5 m. for a commercial building subject to a maximum of 12 m. For a building with height of 24 m. or more, such exterior open space may be a minimum of 6 m. [shall be 6 m.] (ii) subject to the requirements of the Fire Brigade Authorities.	*Where a room does not derive light and ventilation from an exterior open space; the width of the exterior open space as given in these Regulations may be reduced to a minimum of 3.6 m. in respect of residential building and 4.5 m. for a commercial building upto a height of 24 mt. For a building with height of 24 m or more such exterior open space shall be minimum 6 m or more, subject to the requirements of the Fire Brigade Authorities.*

Add the following new clause in D.C.Regulation No.29

29(4)[illegible]

For multi-storeyed, high rise and special buildings, the provisions as stipulated in Regulation No. 43(1) shall apply.

D.C.Regulation No.30

The modifications proposed in the D.C.Regulation No.30 are as under:-

30. Features permitted in open spaces:-

Certain features may be permitted in the prescribed open spaces as enumerated below:-

Existing Reg. no.	**Existing Provision**	**Prop posed Reg.no**	**Proposed provision**
30(i)(b)	Covered parking spaces at least 7.5 m. away from any access road, subject to Regulations 36.	30(i)(b)	*Covered parking spaces at least 7.5 m. away from any access road, subject to Regulation no. 36 (5)(d)*
30(ii)(b)	A cantilevered and unenclosed canopy over common entrance and each common staircase not more than 5.5 m long and at least 2.2 m. above ground level. The outer edge of the canopy shall be at least 1.5 m. from the plot boundary. The Commissioner may permit canopies of larger size in public multistoreyed or high rise or special buildings;	30(ii)(b)	*A cantilevered and unenclosed canopy over common entrance and each common staircase not more than 5.5 m long and at least 2.2 m. above ground level with level difference of 0.3 m. in relation to the floor level. The outer edge of the canopy shall be at least 1.5 m. from the plot boundary. The Commissioner may permit canopies of larger size in public, multistoreyed or high rise or special buildings.*
30(ii) (c)	An unenclosed porch open on three sides, not more than 5.5 m. in length parallel to the main building in front of common entrance only and except rear open space. No part of such porch shall be less than 1.5 m. from the boundary.		*(c) An unenclosed porch open on three sides, not more than 5.5 m. in length parallel to the main building in front of common entrance only and except rear open space with level difference of 0.3 m. in relation to the floor level. No part of such porch shall be less than 1.5 m. from the plot boundary.*

30(ii)(e)	A chajja, cornice, weather shade, sun-breaker, ornamental projection projecting not more than 1.2 m. from the face of the building. No chajja, cornice, weather shade, sun-breaker or other ornamental projection etc. shall be permissible, which will reduce the width of the required open space, to less than 2.5 m.[Further, Chajja, Cornice, Weather Sheds, sun breaker or other ornamental projections etc. shall be permissible upto 0.3 mt. in Gaothan areas for the plots adm. Upto 250 sq.mts"	<u>*30(ii)(e) (i)*</u>	*A chajja, cornice, weather shade, sun-breaker; at window level only; projecting not more than 1.2 m. from the face of the building. No chajja,cornice, weather shade, sun-breaker etc. shall reduce the width of the required open space, to less than 2.5 m.* *Further Chajja, Cornice, Weather Sheds, sun breaker or other ornamental projections etc. shall be permissible upto 0.3 mt. in Gaothan area for the plots adm. upto 250 sq.mts.*
		<u>*30(ii)(e) (ii)*</u>	<u>*The ornamental projection, flower beds etc. projecting not more than 1.2 m. from the face of the building. No ornamental projection, flower beds etc shall be permissible, which will reduce the width of the required open space, to less than 2.5 m*</u>
30(ii)(f)	A chajja, cornice, weather shade, sun-breaker over a balcony or gallery, its projection not exceeding from the balcony or gallery face with level difference of 0.3 m. in relation to the floor level. However and/or ornamental projection over a balcony or gallery may be allowed to project upto 0.75mt.	<u>*30(ii)(f) (i)*</u>	*A chajja, cornice, weather shade, sun-breaker over a balcony or gallery, its projection not exceeding 0.75 mt from the balcony or gallery face with a level difference of 0.3 m. in relation to the floor level.*
		<u>*30(ii)(f) (ii)*</u>	<u>*Ornamental projection, flower bed etc. over a balcony or gallery, its projection not exceeding 0.75 mt. from the balcony or gallery .*</u>

35 (2). *This provision shall be substituted by provisions 35(2) & 35(3) as stated below:-*

35(2) *The following shall not be counted in FSI*

i) Areas of structures permitted in recreational open space under clause (g) of sub-Regulation (1) of Regulations 23.

ii) Areas covered by features permitted in open spaces as listed in Regulation 30 except for regulation 30(i) (b), 30(ii) (e) (ii) and 30(ii) (f) (ii).

iii) Area covered by staircase rooms, lift rooms above topmost storey, staircase/ lift wells and passages in stilt and basement exclusively used for parking and other ancillary users as permitted in this regulation No.35(2)

iv) Areas covered by staircases/ lift wells and passages thereto excluding those covered under D.C.Regulation No.35 (2) (iii) with special written permission of the Commissioner subject to payment of premium.

Provided that in the wards of the Island City such exclusion from FSI computation will be available in respect of buildings to be constructed or reconstructed only, the same being not available for existing buildings or proposals decided by the Corporation prior to coming into force of these Regulations,

Provided further that where the permissible FSI has not been exhausted in the case of existing buildings and cases decided by the Corporation prior to coming into force of these Regulations, the exclusion from FSI computation as in these Regulations will be available for construction of balance potential

Provided further that the reconstruction scheme under Development Control Regulations Nos. 33(6) such exclusion will be permissible as per guidelines here under: -

i. While working out total existing built up area, the built-up area of existing staircase will not be taken into account.

ii. The premium for the area of the staircase and lift-well will be recovered after working out the area of the staircase and lift-well

in the proposed building minus area of the existing staircase, lift-well etc., if any.

v) *Area of the basement used exclusively for parking and other ancillary uses as permitted in regulation No.38(9) (iv) (c,d,e & f).*

vi) *Area of covered parking spaces as provided in sub-Regulation (5)(a) of Regulation No.36.*

vii) *Area of one office room of a co-operative housing society or apartment owners association as provided in sub-Regulation (11) of Regulation 38.*

viii) *Lofts [vide sub-Regulation (5) of Regulation 38.]*

ix) *Porches [vide sub-Regulation (20) of Regulation 38].*

x) *Canopy [vide sub-Regulation (21) of Regulation 38].*

xi) *Area of structures for an effluent treatment plant as required to be provided, as per the requirements of the Maharahstra Pollution Control Board or other relevant authorities:*

Provided, however, in the case of an existing industry, if no vacant land is available the Commissioner may permit the structures with dimensions to be approved by him for such effluent treatment plant on 10 per cent amenity open space.

xii) *A chajja, cornice, weather shade, sun-breaker; at window level only; projecting not more than 1.2 m. from the face of the building as provided in sub regulation no. 30 (ii)(e)(i).*

Further Chajja, Cornice, Weather Sheds, sun breaker or other ornamental projections etc. shall be permissible upto 0.3 mt. in Gaothan area for the plots adm. upto 250 sq.mts

xiii) *A chajja, cornice, weather shade, sun-breaker over a balcony or gallery, as provided in sub regulation no. 30 (ii)(f)(i)*

xiv) *Area covered by pump rooms, electric substations*

xv) *Area covered by new lift and passage thereto in an existing building with a height upto 16m. in the Island City (vide clause (iv) of sub-Regulation (19) of Regulations 38)*

xvi) *Area of a covered passage of clear width not more than 1.52 m.(5ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descend to lower floor in a building to reach tenements not having direct access to a new lift in a building without an existing lift.*

xvii) *Area of one fitness centre for a Co-Op. Housing Society or Apartment Owners Association as provided in sub-regulation 38(32).*

xviii) *The fire chutes as provided under D.C.Regulation no. 44(8)*

xix) *The refuge areas as provided in D.C.Reg. 44(7)*

xx) *Fire Check floor / Service Floor of height not exceeding 1.5 mt*

xxi) *Entrance lobbies, in stilted portion, height not exceeding 7.2 mt..*

xxii) *Open to sky swimming pool at the terrace above the top most storey or on the top most podium only.*

xxiii) Area of the service ducts abutting Sanitary Block not exceeding 1.2 Mtr. in width.

xxiv) Ornamental projection of glass façade/glazing not exceeding 0.30m from building line for commercial building.

xxv) *Area covered by chimney, elevated tanks (provided its height below the tank from the floor does not exceed 1.5 m)*

xxvi) *Area of sanitary block for use of domestic servants engaged in the premises , not exceeding 2.2 sq.mts at staircase mid-landing level.*

Note: *-i) Areas covered by the projections exceeding those specified in clauses xii, xiii, xxiii and xiv above shall be counted in FSI*

ii) Open to sky swimming pool at any level other than (xxii) above , excluding at ground level as provided in D.C. regulation 30 (ii) , shall be counted in FSI.

35(3) **The following shall be counted in FSI.**

- *i)* *Covered parking spaces as provided under Regulation no. 36 (5)(d)*
- *ii)* *Area of fire escape balcony as provided in regulation 44(5)*
- *iii)* *Area of Sanitary block for the use of domestic servants engaged in the premises, other than at staircase mid-landing level.*
- *iv)* *Part / Pocket / Covered terraces , for whatever purpose except, open terrace above the top most storey and the part terrace at top most storey due to planning constraints but accessible from common staircase.*
- *v)* *Area below open to sky swimming pool, clearance exceeding 1.5 Mtr. from floor level.*
- *vi)* *Air condition plant room / Air handling unit room, meter room, D.G.set room except provided in basement.*
- *vii)* *Fire check floor / service floor of height exceeding 1.5 mt*
- *viii)* *Area of balconies as provided in sub regulation 22 of Regulation 38.*
- *ix)* *Niches below window sill.*
- *x)* *Area covered by new or additional lifts and staircases, including passages to be provided in a building; as an additional amenity*
- *xi)* *Area of one public telephone booth and one telephone exchange (PBX) room per building.*
- *xii)* *The ornamental projection, including the voids, flower beds, etc. projecting from the face of the building except at the terrace level.*
- *xiii)* *Ornamental projection, flower bed etc. over a balcony or gallery*
- *xiv)* *Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam limited.*
- *xv)* *Area of a separate letter box room on the ground floor of residential and commercial buildings.*
- *xvi)* *Covered areas required on top terrace for antenna / dish antenna / communication tower used for Telecom (basic cellular or satellite telephone) or ITE purposes, V-Sat, Routes, Transponders or similar IT related structure or equipment , in excess of 20.00 sq.mts*

xvii) *The parking floor in excess of required parking under these regulations. Deck parking inclusive of Car lifts and passages thereto on habitable floors.*

xviii) *Driver's room / sanitary block on podium and or parking floor.*

xix) *Covered swimming pool.*

D.C. Regulation 35(4)

Compensatory Floor Space Index (FSI):-

Not withstanding anything contained in the D.C. Regulations 32,33 & 34, the Commissioner, in view of specific provisions of regulation 35(3) may permit, compensatory floor space index, not exceeding 25% for residential development and 15% for industrial/commercial development, over and above admissible floor space index, by charging a premium at the rate of 100%/125%/200% of the Stamp Duty Ready Recknor Rate for Residential, Industrial and Commercial development respectively [For illustration refer Annexure-I]

Provided, this regulation shall be applicable in respect of the building to be constructed or reconstructed only, the same being not available for existing building or proposal decided prior to coming into force of this Regulation.

Explanatory Note:

i) Where commencement certificate is granted upto plinth or full development, this Regulation shall not apply.

ii) For partially developed plots/layouts, this Regulation will apply for the balance potential of the plot.

Provided, further, the development in Coastal Regulation Zone (CRZ) areas shall be governed by the Ministry of Environment & Forests Notification issued from time to time.

Note: The premium amount collected shall be kept in a separate Account to be utilized for infrastructure development.

Modification to D.C.Regulation 36

Reg.No.	Existing Provisions	Proposed Provisions
36(5)(a)	(5) Parking Spaces. - Where to be accommodated-The parking spaces may be provided,- (a) underneath the building, in basements within its stilted portion, or on upper floors;	*Parking Spaces: Where to be accommodated-The parking spaces may be provided,-* (a) underneath the building, in basements, podiums, within its stilted portion, or on upper floors if exclusively used for mandatory parking. *Note: (i) The deck parking inclusive of car lifts & passages thereto shall be counted in FSI.* *(ii) Additional parking floor in excess of required parking shall be counted in FSI.* *(iii) In non-residential building, where entire parking is proposed by mechanical / automatic means additional parking to the extent of 10% of the required parking shall be permitted free of FSI as vehicle holding area.*

Proposed modification to D.C.Regulation No.38

<table>
<tr><th>Reg.No</th><th>Existing Provisions</th><th>Proposed Provisions</th></tr>
<tr><td>38(5)</td><td>(5) Loft- (1) Location and extent :-Lofts may be provided over kitchens, habitable rooms, bath-rooms, water closets, and corridors within a tenement in residential buildings, over shops, and in industrial buildings, subject to the following restrictions: -
<table>
<tr><th>Serial no. (1)</th><th>Rooms over which permitted (2)</th><th>Coverage (percentage to area of room below) (3)</th></tr>
<tr><td>1</td><td>Kitchen / habitable room</td><td>25</td></tr>
<tr><td>2</td><td>Bathroom, water closet ,corridor</td><td>100</td></tr>
<tr><td>3</td><td>Shops with width upto 3m</td><td>33 1/3</td></tr>
<tr><td>4</td><td>Shops with width exceeding 3m</td><td>50</td></tr>
<tr><td>5</td><td>Industrial</td><td>33 1/3</td></tr>
</table>
Provided that (a) lofts in commercial or industrial buildings shall be located at least 2 m. away from the entrance; and (b) loft area shall not be counted towards F.S.I. subject to (ii) below.
(ii) Height.-The clear head-room under a loft shall not be less than 2.2 m. and that above it shall not be more than 1.5 m. if exceeds 1.5 m. it shall be counted towards F.S.I.</td><td>Loft :
i) Location : Lofts may be provided over kitchens, habitable rooms bathrooms, water closets and corridors within a tenement in residential building in shops and in Industrial buildings.
ii) Height :The height of the loft shall not be more than 1.5 Mtr..If it exceeds 1.5 Mtr. shall be counted towards F.S.I.</td></tr>
</table>

38(2) (ii)

(ii) Height.- (i)The minimum and maximum height of a habitable room shall be as given in Table 19 hereunder:-

(ii) Notwithstanding the above restriction as stated in Table 19, any telematic equipment storage erection facility can have a height as required for effective functioning of that system

(1) Notwithstanding the above restrictions as stated in Table 19, for cinema/TV films production, shooting, editing, recording studios, more height as required for their effective functioning shall be permitted

TABLE 19

Height of Habitable Room

Sr. No. (1)	Occupancy (2)	Minimum height (in meters) (3)	Maximum height (in meters) (4)
1.	Flat roof.		
	(a)Any habitable room	2.75	4.2
	(b) Habitable room in High Density Housing	2.6	4.2
	(c) Air-conditioned habitable room.	2.4	4.2
	(d) Assembly halls, residential hotels of 3 Star category and above institutional, educational, industrial, hazardous	3.6	4.2 subject to the written permission of the Commissioner greater height may be permitted.

(ii) Height.- (i)The minimum and maximum height of a habitable room shall be as given in Table 19 hereunder:-

(ii) Notwithstanding the above restriction as stated in Table 19, any telematic equipment storage erection facility can have a height as required for effective functioning of that system

(1) Notwithstanding the above restrictions as stated in Table 19, for cinema/TV films production, shooting, editing, recording studios, more height as required for their effective functioning shall be permitted

TABLE 19

Height of Habitable Room

Sr. No. (1)	*Occupancy (2)*	*Minimum height (in meters) (3)*	*Maximum height (in meters) (4)*
1.	*Flat roof.*		
	(a) (1) Any habitable room	*2.75*	*3.6*
	(b) Habitable room in High Density Housing	*2.6*	*3.6*
	(c) Air-conditioned habitable room.	*2.4*	*3.6*
	(d) Assembly halls, residential hotels of 3 Star category and above institutional, educational,	*3.6*	*4.2 subject to the written permission of the Commissioner greater height may be permitted.*

	or storage occupancies departmental stores, malls, I.T. buildings, entrance halls and lobbies to department stores and assembly halls.		
2.	Pitched roof – (a) Any habitable room	2.75 (average with 2.1 M at the lowest point)	4.2 (average with 3.2 M at the lowest point).
	(b) Habitable room in High Density Housing.	2.6 (average with 2.0 M at the lowest point).	4.2 (average with 3.2 M at the lowest point).

Provided that- (i) the minimum clear head-way under any beam shall be 2.4 m.

(ii) in all occupancies, except those included in Serial No. 1(d) in the Table above, any height in excess of 4.2 m. shall be deemed to have consumed an additional FSI of 50 per cent of the relevant floor area.

(iii) other requirements.- One full side of a habitable room must abut an exterior open space same as provided in sub-regulation (9) of Regulation 29.

	industrial, hazardous or storage occupancies departmental stores, malls, I.T. buildings, entrance halls and lobbies to department stores and assembly halls.		
	e) Shops.	3.0	3.6
2.	Pitched roof - (a) Any habitable room	2.75 (average with 2.1 M at the lowest point)	3.6 (average with 2.8 M at the lowest point).
	(b) Habitable room in High Density Housing.	2.6 (average with 2.0 M at the lowest point).	3.6 (average with 2.7 M at the lowest point).

Provided that- (i) the minimum clear head-way under any beam shall be 2.4 m.

*ii)In all occupancies except those included in Sr. No. 1 (d) in the table above, any height in excess of **3.6 Mtr**. shall be deemed to have consumed an additional F.S.I. of 50% of the relevant floor area.*

(iii) other requirements.- One full side of a habitable room must abut an exterior open space same as provided in sub-regulation (9) of Regulation 29.

38(9)(i)	(9)(i) Area and Extent.- The total area of any basement shall not exceed twice the plinth area of he building or the area of the plot, whichever is less. It may be in one level or two.	*The basement shall not be constructed in the required front open space under DCR 29. The open space from the other boundaries of the plot shall not be less than 1.5 mt. It may be at one level or more, total depth not exceeding 10.00 mt.*
38(9)(iv)	(iv) Uses Permitted.- A basement may be put to the following uses only: (a) storage of household or other non-hazardous goods; (b) store rooms, bank lockers or safe-deposit vaults; (c) air-conditioning equipment and other machines used for services and utilities of the building; (d) Parking spaces. (e) Electric sub-station (which will conform to required safety requirements); Provided that user strictly ancillary to the principal user may also be permitted in a basement.	*(iv) Uses Permitted.- A basement may be put to the following uses only:-* *(a) (i) storage of household or other non-hazardous goods;* *(ii) Store rooms, bank lockers or safe deposit vaults.* *(b) air-conditioning equipment/ AHU and other machines used for services and utilities of the building;* *(c) Parking spaces;* *(d) D.G. set room, meter room and electric sub station (which will conform to required safety requirements).* *(e) Effluent Treatment Plant, suction tank, pump room* *Provided that the users mentioned at (a) above shall be permitted in the 1st basement only by counting in FSI subject to the following conditions;* *i) All requirements regarding access, safety (including fire safety), ventilations etc. shall be complied with.* *ii) All the planning standards (particularly as regarding parking) should be strictly adhered to.*
38(12)	(12) Letter Box: A letter box of appropriate dimensions shall be provided on the ground floor of residential and commercial buildings with five and more storeys to the satisfaction of the Commissioner.	*(12) Letter Box Room:- A separate letter box room or otherwise of appropriate dimensions shall be provided on the ground floor of residential and commercial buildings.*

38(20)	(20) *Porch*.- A porch, if any, shall be at least 1.5 m clear of the plot boundary; the area of a porch upto 5.5m. in length (parallel to the main building) shall not be counted towards FSI. A parapet wall 0.23m. in height is permissible over a porch. The Commissioner may permit larger porches for mercantile, hotel and public buildings.	*(20) Porch.- A porch, if any, shall be at least 1.5 m clear of the plot boundary, shall have a level difference of 0.3 m. in relation to the level of the floor; the area of a porch upto 5.5m. in length (parallel to the main building) shall not be counted towards FSI. A parapet wall 0.23m. in height is permissible over a porch. The Commissioner may permit larger porches for mercantile, hotel and public buildings.*
38(21)	(21) *Canopy* :- A cantilevered and un-enclosed canopy may be permitted over each entrance and staircase, if a clear distance of at least 1.5 m is maintained between the plot boundary and the outer edge of the canopy. The minimum clear height of the canopy shall be 2.2 m.	*(21) Canopy :- A cantilevered and un-enclosed canopy, with level difference of 0.3 m. in relation to the floor level; may be permitted over each entrance and staircase, if a clear distance of at least 1.5 m is maintained between the plot boundary and the outer edge of the canopy. The minimum clear height of the canopy shall be 2.2 m: The Commissioner may permit larger canopies for mercantile, hotel and public buildings.*
38(22)	*(22) Balcony* :- In any residential zone (R-1) and residential zone with shop line (R-2), or in a purely residential building in any other zone, balconies may be permitted *free of FSI at each floor*, excluding the ground and terrace floors, of an area not more than 10 per cent of the area of the floor from which such balcony projects subject to the following conditions :- (i) No balcony shall reduce the minimum marginal open space to less than 3 mt. at the rear and sides and 1.5m in the front. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge. (ii) Balconies may be allowed to be enclosed with written permission of the Commissioner. When balconies are enclosed, one-third of the area of their faces shall have louvers glass	*(22) Balcony :- In any residential zone (R-1) and residential zone with shop line (R-2), or in a purely residential building in any other zone, balconies may be permitted at each floor, excluding the ground and terrace floors, of an area not more than 10 per cent of the area of the floor from which such balcony projects subject to the conditions that :- (i) No balcony shall reduce the minimum marginal open space to less than 3 mt. at the rear and sides and 1.5m in the front. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge. (ii) The balcony may be enclosed.*

	<u>shutters or grills on the top and the rest of the area except the parapet shall have glazed shutters.</u>	
New Regulation		***<u>38 (34):- Podium</u>*** *i. A podium may be permitted in plot admeasuring 1500 sq.mt or more.* *ii. The podium provided with ramp may be permitted in one or more level, total height not exceeding 24 m above ground level.* *However, podium not provided with ramp but provided with two car lifts may be permitted in one or more level, total height not exceeding 9 mt above ground level.* *iii. The podium shall be used for the parking of vehicles.* *iv. The recreational space prescribed in D.C.Regulation 23 may be provided either at ground level or on open to sky podium.* *v. Podium shall not be permitted in required front open space.* *vi. Such podium may be extended beyond the building line in consonance with provision of D.C.Regulation 43(1) on one side whereas on other side and rear side it shall not be less than 1.5 m from the plot boundary.* *vii. Ramps may be provided in accordance with D.C.Regulation 38(18).* *viii. Adequate area for Drivers rest rooms and sanitary block may be permitted on podiums by counting in FSI.*

Proposed amendment in relevant regulations applicable to Fire Fighting Requirements

Reg. no.	Original Regulation	Modified Regulation
43 (1)	General – The planning design and construction of any building shall be such as to ensure safety from fire. For this purpose, unless otherwise specified in these Regulations, the provisions of part IV : Fire Protection Chapter, National Building Code, shall apply. For multistoried, high rise and special buildings, additional provisions relating to fire protection contained in Appendix VIII shall also apply. The approach to the building and open spaces on all sides up to 6 m width and their layout shall conform to the requirements of the Chief Fire Officer. they shall be capable of taking weight of a fire engine weighing up to 18 tonnes. These open spaces shall be free of any obstruction and shall be motorable.	*43(1) General:-* *The planning design and construction of any building shall be such as to ensure safety from fire. For this purpose, unless otherwise specified in these Regulations, the provisions of part IV: Fire Protection Chapter, National Building Code, shall apply.* *For multistoried, high rise and special buildings, additional provisions relating to fire protection contained in Appendix VIII shall also apply* *(A) For proposal under regulations 33(7) and 33(10)* *Buildings having height more than 24 m, at least, one side other than road side, shall have clear open space of 6 m at ground level, accessible from road side.* *Provided, if the building abuts another road of 6m or more this condition shall not be insisted.* *(B) For the proposals other than A above* *(a) Buildings having height more than 24 m upto 70 m, at least one side, accessible from road side, shall have clear open space of 9 m at ground level.* *Provided, however, if podium is proposed it shall not extend 3m beyond building line so as to have open space of 6m beyond podium.* *Provided, further, where podium is accessible to fire appliances by a ramp, then above restriction shall not apply.* *(b) Buildings having height more*

		than 70 m, at least two sides, accessible from road side, shall have clear open space of 9 m at ground level. *Provided, however, if podium is proposed it shall not extend 3m beyond building line so as to have open space 6m beyond podium. No ramps for the podium shall be provided in these side open spaces.* *Provided, further, where podium is accessible to fire appliances by a ramp then above restriction shall not apply.* *(c) Courtyard / ramp / podium accessible to fire appliances shall be capable of taking the load up to 48 tonnes.* *(d) These open spaces shall be free from any obstruction & shall be motorable.*
43(2) (i) (ii)	Assembly, business, mercantile, industrial and storage buildings : 30 m. Note.- The travel distance to an exit from the dead end of a corridor shall not exceed half the distance specified above. When more than one exit is required on a floor, the exits shall be as remote from each other as possible: Provided that for all multi-storeyed high rise and special buildings, a minimum of two enclosed type staircases shall be provided, at least one of them opening directly to the exterior to an interior, open space or to any open place of safety.	*Assembly, business, mercantile, industrial and storage buildings : 30 m. Note.- The travel distance to an exit from the dead end of a corridor shall not exceed half the distance specified above. When more than one exit is required on a floor, the exits shall be as remote from each other as possible:* *Provided that, <u>subject to the provision under D.C. Regulation 44(5)(a)</u> for all multi-storeyed high rise and special buildings, a minimum of two enclosed type staircases shall be provided, at least one of them opening directly to the exterior to an interior, open space or to any open place of safety.*
44(5)	**Fire Escape or external stair:** Multistoreyed, high rise and special buildings shall be provided with fire escape stairs,	*44(5) (A) Additional Staircase* *(a) In case of multistoreyed residential buildings having height more than 24 m, and less than 70*

which will be free of FSI, and should conform to the following:

(a) They shall be taken into account in calculating the evacuation time of a building.

(b) All of them shall directly connected to the ground.

(c) Entrance to them shall be separate and remote from the internal staircase.

(d) Routes to the fire escape shall be free of obstruction at all times, except for a door way leading to the fire escape, which shall have the required fire resistance.

(e) They shall be constructed of non-combustible materials.

(f) They shall have a straight flight not less than 75 cm. Wide with 15 cms. Treads and risers not more than 19 cms. The number of risers shall be limited to 16 per flight.

(g) They shall be provided with handrails at a height not less than 90 cms. Above the tread.

mt. additional staircase shall be necessary.

Note.- These staircase shall be of enclosed type having minimum width of 1.5 mt.

(b) Buildings having height 70 mt. of more, shall be provided with two enclosed type staircases, each having width not less than 2.0 mt.

(c) Whenever two staircases are necessary, both the staircases shall open and terminate at ground floor or to any other place of safety. The staircase shall be as remote as possible.

(B) Fire Escape balcony:

(a) For industrial buildings, a fire escape balcony not exceeding 1.5 meters width shall be provided at the periphery of every floor level and shall be connected to staircase and shall have a railing/parapet of 1.10 meters height on external sides.

(b) Fire escape balcony to the buildings other than residential occupancy shall be decided by Chief Fire Officer.

(c) Requirement of Fire Escape Balcony.

(i) It shall always be kept free from obstructions and no partitions shall be erected.

(ii) It shall be provided with wall type sprinklers at every floor level.

Note:- Fire Escape balcony shall be counted in FSI.

44(7)	Refuge area: a) In multi storyed and high rise buildings, at least one refuge area shall be provided on the floor immediately above 24 m. b) It shall be on the external walls as a cantilevered projection or in any other manner. c) It hall have a minimum area of 15 sq m and minimum width of 3.0 m. It shall not be counted in FSI.	*Refuge area:* *a) In multi storyed and high rise buildings, first refuge area shall be provided on the floor immediately above 24 m.* *b) It shall be on the external walls as a R. C. C. cantilevered projection at midlanding level at alternate floors.* *c) It shall have a minimum area of 10 sq m for residential buildings and 15 sq m for commercial or other occupancy with minimum width of 3.0 m.* *d) It shall not be counted in FSI.* *Note : For guidelines for Refuge Area refer to Appendix VIII (19)*
New Reg. 44(8)	New provision to D C Regulation: No 44 (8) Fire Chutes	*44(8) Fire Escape Chutes:-* *i) High rise building having height more than 70 m, shall necessarily be provided with fire escape chute shaft/s for every wing adjacent to staircase.* *ii) Walls of the shaft shall have 4 hr fire resistance.* *iii)One side of the shaft shall be at external face of the building with proper ventilation.* *iv)The dimension of the shaft shall not be less than 2.5 m X 1.5m.* *v) The access to the fire escape chute's shaft shall be made at alternate floor level from staircase mid-landing with self closing door having fire resistant of at least one hour.* *vi)The fire chute shall be of staggered type with landing of each section at the vertical height of not more than 21 m.*

New Reg. 44(9)	New provision to D C Regulation No: 44 (9) FIRE Check Floor	*44 (9) Fire Check Floor* *A high rise building having height more than 70 m, shall be provided with fire check floor (entire floor) at every 70 m level.* *Height of the fire check floor shall not be more than 1.5mtrs.* *The fire check floor shall not be used for any purpose and it shall be the responsibility of the owner/occupier to maintain the same clean and free of encumbrances and encroachments at all times.* *Periphery of the Fire Check floor shall not be enclosed.* *Fire Drenchers shall be provided at the periphery of the each fire check floor externally.*

Appendix VIII (19)

i) *Number of refuge areas: In high rise building having height 24 mt. and more, first cantilever RCC refuge area should be provided at 24 mt. level from general ground level*

ii) *Manner of providing refuge area:*

(a) The refuge area shall be so located that it shall preferably face the access road/s or otherwise face the wider open space on the side of the building perpendicular to the main access road.

(b) The cantilevered refuge area shall necessarily be of RCC type with.

(c) The cantilevered refuge area up to 54 mt. height shall be provided with railing/parapet of 1.10 mt. and that beyond 54 mt. shall be provided with railing/parapet of 1.50 mt. This area shall not be enclosed.

(d) RCC covering shall be provided above the topmost refuge area.

(e) The cantilever refuge area shall have a door which shall be painted or fixed with a sign in luminous paint mentioning "REFUGE AREA".

(f) The lift/s shall not be permitted to open into the refuge areas.

iii) *Use of refuge area:*

(a) The refuge area shall be earmarked exclusively for the use of occupants as temporary shelter and for the use of Fire Brigade Department or any other organization dealing with fire or other emergencies when occur in the building and also for exercises/drills if conducted by the Fire Brigade Department.

(b) The refuge areas shall not be allowed to be used for any other purpose and it shall be the responsibility of the owner/occupier to maintain the same clean and free of encumbrances and encroachments at all times.

iv) *Facilities to be provided at refuge area:*

(a) Adequate emergency lighting facility shall be provided.

v) *Terrace floor as a refuge floor:*

a) The necessary facilities such as emergency lighting, drinking water etc. shall be provided.

b) The access door/s from the enclosed staircase/s to the terrace floor shall have louvers at top half portion of the door.

c) The entrance doors to the terrace shall be painted or fixed with sign painted in luminous paint mentioning "REFUGE AREA".

(Rajendra Habde)
Under Secretary to Government.